



# FEE TRANSMITTAL

Application Number: 09/445,653

Filing Date: July 17, 2000

First Named Inventor: Alexander V. Kabanov, et al.

Title: Compositions for Delivery of Biological Agents and Methods for the Preparation Thereof

Total Amt of Payment (1) + (2) + (3) = \$65

Attorney Docket Number: UNMC63117B-US

## METHOD OF PAYMENT (check one)

- ☒ Authorization is hereby granted to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 04-1406.
- ☒ Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17

Any extensions of time that are required to maintain this application in a pending status, if not included herewith, are hereby requested. Authorization is hereby granted to charge such extension fees to Deposit Account No. 04-1406. Two copies of this transmittal are enclosed for accounting purposes.

- ☒ Payment enclosed: \$ 65.00

## FEE CALCULATION

### 1. BASIC FILING, SEARCH AND EXAM. FEES

	Filing	Search	Exam	Fee
Utility				0
Design				
Plant				
Reissue				
SUBTOTAL (1)				\$0

### 2. CLAIMS FEES

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims - 20 = (a)	0	25	\$0
Indep Claims - 3 = (b)	0	100	\$0
Multiple Dependent Claim Fee			
(a) Enter 20 or number previously paid for			
(b) Enter 3 or number previously paid for			
SUBTOTAL (2)			\$0

### 3. ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	
Application Size Fee	
For filing a request for reexamination	
Extension for response within one month	
Extension for response within second month	
Extension for response within third month	
Extension for response within fourth month	
Notice of Appeal	
Filing a brief in support of an appeal	
Request for oral hearing	
Petition to revive unintentionally abandoned application	
Issue Fee	
Advance Orders	
Publication Fee	
Petitions to the Commissioner	
Petitions related to provisional applications	
Submission of Information Disclosure Stmt.	
Recording each patent assignment per property	
Other fee (specify) <u>Terminal Disclaimer</u>	\$65

SUBTOTAL (3) \$65

Best Available Copy

Submitted By: Patrick J. Hagan Reg. Number 27,643

Signature Patrick J. Hagan Date December 20, 2005 Deposit Account User ID 04-1406



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Alexander V. Kabanov, et al.  
Serial No. : 09/445,653  
Filing Date : July 17, 2000  
Examiner : Edward J. Webman  
Group Art Unit : 1617  
Entitled : COMPOSITIONS FOR DELIVERY OF  
BIOLOGICAL AGENTS AND METHODS  
FOR THE PREPARATION THEREOF

-----  
1601 Market Street, Suite 2400  
Philadelphia, PA 19103  
(215) 563-4100 (telephone)  
(215) 563-4044 (facsimile)  
Our File No. UNMC63117B-US  
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Caren Burgoon  
Caren Burgoon  
-----

**TERMINAL DISCLAIMER RESPONSIVE TO  
OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION**

The entire right, title and interest in and to the above-identified patent application (hereinafter "the '653 application"), is jointly owned by The University of Nebraska Board of Regents, Moscow State University, and McGill University, (hereinafter "Assignees") by virtue of assignment from Victor A. Kabanov, Alexander V. Kabanov and Adi Eisenberg, respectively, who are named as applicants in the '653 application.

The assignment in the '653 application was recorded on June 4, 2001 at Reel 011859 and Frame 0254.

12/27/2005 HBERHE 00000020 09445653

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Void date: 12/27/2005 HBLANCO  
12/27/2005 HBERHE 00000020  
01 FC:2051  
09445653  
-65.00 00



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Also attached hereto is a Certificate Under 37 C.F.R. §3.73(b) establishing the right of the Assignees to take the present action in this case.

Assignees hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the '653 application which would extend beyond the expiration date of the full statutory term, as defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of co-pending U.S. Patent Application No. 09/445,656, filed July 17, 2000, of which the Assignees are also joint owners of the entire right, title and interest.

Assignees hereby agree that any patent so granted on the '653 application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to any patent granted on U.S. Patent Application No. 09/445,656, this agreement to run with any patent granted on the '653 application and to be binding upon the grantee, its successors or assigns.

In making the foregoing disclaimer, Assignees do not disclaim the terminal part of any patent granted on the '653 application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on U.S. Patent Application No. 09/445,656, as presently shortened by any terminal disclaimer, in the event that any patent granted on U.S. Patent Application No. 09/445,656 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued or is in any manner terminated prior to expiration of its full statutory term as presently or subsequently shortened by any terminal disclaimer, as the case may be, except for the separation of legal title stated above.

Attached as a check in the amount of \$65.00 in payment of the fee required in 37 C.F.R. §1.3121(a)(4). The U.S. Patent and

Trademark Office acknowledged receipt of the Notification of Small Entity Status in the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), Form PCT/DO/EO/905, mailed February 16, 2000. In the event the amount of the fee submission is incorrect, the Commission is authorized to charge or credit the account of the undersigned attorneys, Deposit Account No. 04-1406. A duplicate copy of this paper is enclosed to facilitate such charging or crediting.


The University of Nebraska Board  
of Regents

Date:

NAME: Michael Dixon, Ph.D.  
TITLE: Interim Director,  
University of Nebraska Medical  
Center Intellectual Property  
Office

Moscow State University

Date:

  
NAME: Valerii Vasilievich Lunin  
TITLE: Professor and Dean

McGill University

Date:

NAME: Richard Bruno  
TITLE: Director, McGill Office of  
Technology Transfer

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By

  
PATRICK J. HAGAN

PTO Registration No. 27,643



STATEMENT UNDER 37 C.F.R. §3.73(b)

The University of Nebraska Board of Regents, a university, states that it is assignee of an undivided, fractional interest in U.S. Patent Application No. 09/445,653, filed July 17, 2000 entitled, "Compositions for Delivery of Biological Agents and Methods for the Preparation Thereof," by virtue of an assignment from Alexander V. Kabanov, who is designated a co-applicant in the patent application identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011859 and Frame 0254. A copy of the recorded assignment is attached herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee, The University of Nebraska Board of Regents.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Michael Dixon, Ph.D.

(402) 559-2170

Printed or Typed Name

Telephone Number

Interim Director, University of Nebraska Medical Center  
Intellectual Property Office

Title

Address: The University of Nebraska Board of Regents  
Intellectual Property Office  
986099 Nebraska Medical Center  
Omaha, Nebraska 68198-6099  
United States



STATEMENT UNDER 37 C.F.R. §3.73(b)

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The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee, Moscow State University.

Signature

Date

Valerii Vasilievich Lunin

Printed or Typed Name

Telephone Number

Professor and Dean

Title

Address: Moscow State University  
School of Chemistry  
MV Lomonosov  
Leninsky Hills, Moscow, Russia, 119899  
Russia



ASSIGNMENT UNDER 37 C.F.R. §3.73(b)

McGill University, a university, states that it is an assignee of an undivided, fractional interest in U.S. Patent Application No. 09/445,653, filed July 17, 2000 entitled, "Compositions for Delivery of Biological Agents and Methods for the Preparation Thereof," by virtue of an assignment from Adi Eisenberg, who is designated a co-applicant in the patent application identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011859 and Frame 0254. A copy of the recorded assignment is attached herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee, McGill University.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Richard Bruno

Printed or Typed Name

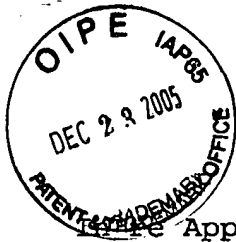
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Director, McGill Office of Technology Transfer

Title

Address: McGill University  
c/o Office of Technology Transfer  
1555 Peel Street, 11<sup>th</sup> Floor  
Montreal, Quebec H3A-3L8  
Canada





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Caren Burgoon  
Caren Burgoon  
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The University of Nebraska Board  
of Regents



NAME: Michael Dixon, Ph.D.  
TITLE: Interim Director,  
University of Nebraska Medical  
Center Intellectual Property  
Office

Date: November 14, 2005

Moscow State University

NAME: Valerii Vasilievich Lunin  
TITLE: Professor and Dean

Date:

McGill University

NAME: Richard Bruno  
TITLE: Director, McGill Office of  
Technology Transfer

Date:

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By 

PATRICK J. HAGAN  
PTO Registration No. 27,643



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The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee, The University of Nebraska Board of Regents.

Michael Dixon  
Signature

November 14, 2005  
Date

Michael Dixon, Ph.D.  
Printed or Typed Name

(402) 559-2170  
Telephone Number

Interim Director, University of Nebraska Medical Center  
Intellectual Property Office  
Title

Address: The University of Nebraska Board of Regents  
Intellectual Property Office  
986099 Nebraska Medical Center  
Omaha, Nebraska 68198-6099  
United States



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The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee, Moscow State University.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Valerii Vasilievich Lunin

Printed or Typed Name

\_\_\_\_\_  
Telephone Number

Professor and Dean

Title

Address: Moscow State University  
School of Chemistry  
MV Lomonosov  
Leninsky Hills, Moscow, Russia, 119899  
Russia



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Date

\_\_\_\_\_  
Richard Bruno

Printed or Typed Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Director, McGill Office of Technology Transfer

Title

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Montreal, Quebec H3A-3L8  
Canada

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